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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 4. CALIFORNIA HORSE RACING BOARD

NOTICE OF PROPOSAL TO ADD RULE 1874.1. BREATH ALCOHOL TESTING

The California Horse Racing Board (Board) proposes to add the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to add Rule 1874.1, Breath Alcohol Testing, to initiate a breath alcohol testing program for jockeys, apprentice jockeys and harness drivers. The proposed regulation also authorizes breath alcohol testing of a licensee if there exists reasonable cause to believe the licensee is under the influence of alcohol. Rule 1874.1 defines "under the influence" as a blood concentration of 0.05 percent or more, by weight, of alcohol in the licensee's blood.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, March 22, 2007**, or as soon after that as business before the Board will permit, at the **Bay Meadows Race Track, 2600 South Delaware Street, San Mateo, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m., on February 26, 2007**.

The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone (916) 263-6397
Fax: (916) 263-6022
E-mail: harolda@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19420 and 19440, Business and Professions (B&P) Code. Reference: Sections 19460 and 19520, B&P Code.

B&P Code Sections 19420 and 19440 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19460 and 19520, B&P Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

B&P Code Section 19420 provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. B&P Code Section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Horse Racing Law. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. B&P Code Section 19460 provides that all licenses granted under this chapter are subject to all rules, regulations, and conditions from time to time prescribed by the Board. B&P Code Section 19520 states every person who participates in, or has anything to do with the racing of horses shall be licensed by the Board pursuant to rules and regulations that the Board may adopt.

Human and equine safety at race meetings is an ongoing concern of the Board. To achieve a safe racing environment the Board promulgates and enforces regulations that address racetrack safety, equine medication and the conduct of licensees. The Board also promotes a drug and alcohol free environment, and has no tolerance for licensees whose performance and judgment may be impaired by the ingestion of an intoxicating substance. Racehorses are powerful athletes that can be difficult to control under normal circumstances; a racehorse in the care of an inebriated person may be a danger to itself, its

handler and others. Jockeys, apprentice jockeys and drivers are a threat to all involved if they perform under the influence of alcohol, as racetrack safety depends on clarity of mind to react to any situation during the course of a race, and the rider or driver's ability to control the horse. To ensure its ability to monitor the sobriety of jockeys, apprentice jockeys and drivers, the Board proposes to add Rule 1874.1, Breath Alcohol Testing. The proposed regulation states jockeys, apprentice jockeys and drivers are subject to breath alcohol testing prior to each race program in which they participate. A jockey, apprentice jockey or driver may not refuse to submit to a breath alcohol test. The Board determined to impose this condition on jockeys, apprentice jockeys and drivers as it has a vested interest in their unimpaired performance. If a breath alcohol test demonstrates a concentration of 0.05 percent or more, by weight of alcohol in the blood, the jockey, apprentice jockey or driver shall not be permitted to participate in the race program for which the test was administered; shall be referred to the stewards; and shall submit to a breath alcohol test before the next race program in which he participates. These measures are necessary, as the possibility of an impaired rider or driver is a safety issue. In addition, the measures present a deterrent to the consumption of alcohol prior to a race program, as a jockey, apprentice jockey or driver's income depends on his ability to ride/drive.

Rule 1874.1 will allow the Board, its investigators, the stewards or racing association security officers to require a licensee to submit to a breath alcohol test if there is reasonable cause to believe the licensee is under the influence of alcohol. A licensee's use of alcohol in areas where the Board has jurisdiction is always a safety issue; the racetrack environment is no place for a person whose judgment is impaired. The Board does not expect that every licensee will be given a breath alcohol test; instead, a determination of reasonable cause would be the events and circumstances that lead to the breath analysis test for a particular individual, and the decision by the agent of the Board or the association security officer as to whether the facts amounted to reasonable cause.

Rule 1874.1 defines "under the influence" as a blood alcohol concentration of 0.05 percent or more, by weight, of alcohol in the blood. The Board determined it would use a blood alcohol concentration of 0.05 percent as the American Medical Association (AMA) states a person can become impaired when the blood alcohol level hits 0.05. This is the level used by Indiana, Iowa and the United States Trotting Association in their blood alcohol testing programs. Additionally, the AMA has encouraged state medical societies to urge their state legislators to adopt a blood alcohol level of 0.05 percent for illegal driving,

DISCLOSURE REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

Other non-discretionary costs or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed addition of Rule 1874.1 will not have a significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action. A representative business would incur a one-time cost of \$750.00 for the purchase of a breath alcohol testing unit, \$495.00 for the purchase of the printer, and annual costs of approximately \$70 a year for calibration.

Significant effect on housing costs: none.

The adoption of the proposed addition of Rule 1874.1 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: none. The proposal to add Rule 1874.1 does not affect small businesses because horse racing is not a small business under Government Code Section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the

regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
E-mail: harolda@chrb.ca.gov

If the person named above is not available, interested parties may contact:

Jacqueline Wagner, Manager
Policy and Regulations
Telephone: (916) 263-6041

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies may be obtained by contacting Harold Coburn, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulation in its current or modified

form, should be sent to the attention of Harold Coburn at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulation and the initial statement of reasons. The Board's web site address is: www.chrb.ca.gov.

TITLE 16. BOARD OF BARBERING AND COSMETOLOGY

NOTICE IS HEREBY GIVEN that the Board for Barbering and Cosmetology (hereinafter referred to as "the Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Board of Barbering and Cosmetology, 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834, from 9:00 a.m. to 12:00 p.m. on February 26, 2007. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on February 26, 2007 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 7312, and 7406 of the Business and Professions Code, and to implement, interpret or make specific Sections 7312(e) of said Code, the Board is considering changes to Division 9 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law directs the board to adopt rules governing sanitary conditions necessary to protect the public health and safety in establishments, schools approved

by the board, and in the practice of any profession provided for in Chapter 10 of Division 3 of the Business and Professions Code.

At the direction of the Governor, a working group was created (Work Group on Footspa Safety) which consisted of members from the Board of Barbering and Cosmetology, county health officials, consumer groups, pedicure equipment manufacturers and other interested parties. They collaborated to determine how to improve the safety of pedicure equipment and ensure appropriate consumer protection. The working group developed these new state regulations for the nail-care industry.

The proposed regulations and adoptions emphasize frequent cleaning behind the inlet suction, and all areas and surfaces of various types of footspa basins. They specify cleaning agents necessary to ensure the most effective sanitation and disinfection and cleaning of footspas. They establish a uniform minimum running time for circulating detergent through the spa system in order to prevent bacteria growth in footbaths and provide appropriate consumer protection from infections caused by dirty footbaths.

Amend Section 980.1, Procedures for Cleaning and Disinfecting Whirlpool Footspas, and Air-Jet Basins.

This regulation defines an Air-Jet footspa basin in order to include it in the new cleaning procedures. The effect of this regulation is to emphasize frequent cleaning behind the inlet suction screen, establishes a uniform minimum running time for circulating detergent through the spa system, specifies the type of cleaning agent and disinfectant to be used.

Adopt Section 980.2, Procedures for Cleaning and Disinfecting Pipe-less Footspas.

This regulation adopts language specific to and defines a Pipe-Less footspa basin in order to include it in the new cleaning procedures. The effect of this regulation is to emphasize frequent cleaning behind footplates, removable components, and impellers, establishes a uniform minimum running time for circulating detergent through the spa system, specifies the type of cleaning agent and disinfectant to be used.

Adopt Section 980.3, Procedures for Cleaning and Disinfecting Non-Whirlpool Foot Basins or Tubs.

This regulation adopts language specific to and defines a Non-Whirlpool footspa basin and tub in order to include it in the new cleaning procedures. The effect of this regulation is to emphasize frequent cleaning of the inside surfaces of the basin or tub, establishes a uniform minimum sitting time for the disinfecting solution to remain undisturbed in the basin or tub, specifies the type of disinfectant to be used.

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

Nondiscretionary Costs/Savings to Local Agencies:

None

Local Mandate:

None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement:

None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:

- (A) Current regulation section 980.1 has caused no adverse economic impact that affect businesses.

Impact on Jobs/New Businesses:

The Board for Barbering and Cosmetology has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board for Barbering and Cosmetology is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs:

None

EFFECT ON SMALL BUSINESS

The Board for Barbering and Cosmetology has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

Per Government Code section 11346.5(a)(13):

“The Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.”

Any interested person may present statements or arguments orally or in writing relevant to the above determination at the above mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board for Barbering and Cosmetology at 2420 Del Paso Road, Suite 100, Sacramento, California 95834.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Contact Person:

Name: Paul Cobb
Address: 2420 Del Paso Rd., Suite 100
Sacramento, CA. 95834
Telephone: (916) 575-7104
Fax: (916) 575-7281
Email Address: paul_cobb@dca.ca.gov

Backup Contact Person:

Name: Heather Berg
Address: 2420 Del Paso Rd., Suite 100
Sacramento, CA. 95834
Telephone: (916) 575-7154
Fax: (916) 575-7281
Email Address: Heather_berg@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.barbercosmo.ca.gov.

TITLE 16. CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the proposed action in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on February 26, 2007.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received in the Board's office no later than 5:00 p.m. on February 13, 2007.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the action substantially as described below or may modify such action if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified action will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the action.

Authority and Reference: Pursuant to the authority vested by sections 125.9, 148, and 2570.20 of the Business and Professions Code, and to implement, interpret or make specific sections 125.9 and 148 of the Business and Professions Code, the Board is considering amending Division 39, Title 16, of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law authorizes the Board to issue citations to licensees, certificate holders and unlicensed persons for violating the Occupational Therapy Practice Act or any regulations adopted thereto. On October 11, 2003, Senate Bill 362 (Figueroa, Chapter 788, Statutes of 2003) took effect, increasing the amount of administrative fines to \$5,000. The proposed regulations amend section 4141 to specify that administrative fines proposed by the Board would not be more than \$5,000, increase the maximum fine amounts for each class of citation, and add violations to each class of citation.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-discretionary Costs/Savings to Local Agencies:
None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the adoption of this regulation would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making, the above determination: None

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because the regulation does not regulate small businesses, does not require reports or any other compliance activities.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may request a hearing to present statements or arguments orally or in writing relevant to the above determinations, if requested within 15 days of the close of the written comment period.

TEXT OF PROPOSAL AND INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of reasons that sets forth the reasons for the proposed action

and has all the information upon which the proposal is based.

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained from our website as listed below upon written request from the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Board's website as listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

April Freeman
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 322-3278
(916) 445-6167 (FAX)
cbot@dca.ca.gov

The backup contact person is:

Heather Martin
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 322-3394
(916) 445-6167 (FAX)
cbot@dca.ca.gov

Website Access: All materials regarding this proposal can be found on-line at www.bot.ca.gov > **Laws and Regulations > Proposed Regulations.**

TITLE 16. CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the proposed action in writing. Written comments, including those sent by mail, facsimile, or e-

mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on February 26, 2007.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received in the Board's office no later than 5:00 p.m. on February 13, 2007.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the action substantially as described below or may modify such action if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified action will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the action.

Authority and Reference: Pursuant to the authority vested by sections 2570.5, 2570.6, 2570.7, 2570.9, 2570.16 and 2570.26, Business and Professions Code; and Sections 4100, 4102, 4110, 4111, 4112, 4114, 4120 and 4130, California Code of Regulations, and to implement, interpret or make specific Section 2570.5 of said Code, the Board is considering changes to Division 39 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law authorizes the Board to grant a limited permit to provide occupational therapy services to persons who have completed the education and experience requirements. The purpose of the law is to allow recent graduates to practice under supervision while waiting to take the first available National Board for Certification in Occupational Therapy (NBCOT) licensing examination or awaiting the results of the examination.

The proposed regulation would amend Section 4123 to reduce the length of time that a limited permit is valid, to require that the limited permit holder notify the Board of his or her employer and supervisor, and to eliminate the application of the limited permit fee to the initial license or certificate fee if the permit holder passes the examination before the expiration date.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the adoption of this regulation would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because the regulation does not regulate small businesses, does not require reports or any other compliance activities.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may request a hearing to present statements or arguments orally or in writing relevant to the above determinations, if requested within 15 days of the close of the written comment period.

TEXT OF PROPOSAL AND INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of reasons that sets forth the reasons for the proposed action and has all the information upon which the proposal is based.

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the

information upon which the proposal is based, may be obtained from our website as listed below upon written request from the contact person listed below.

**AVAILABILITY AND LOCATION OF
THE FINAL STATEMENT OF REASONS
AND RULEMAKING FILE**

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Board's website as listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

April Freeman
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 322-3278
(916) 445-6167 (FAX)
cbot@dca.ca.gov

The backup contact person is:

Heather Martin
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 322-3394
(916) 445-6167 (FAX)
cbot@dca.ca.gov

Website Access: All materials regarding this proposal can be found on-line at www.bot.ca.gov > **Laws and Regulations > Proposed Regulations.**

**TITLE 28. DEPARTMENT OF
MANAGED HEALTH CARE**

ACTION: NOTICE OF PROPOSED
RULEMAKING AND NOTICE OF
PUBLIC HEARINGS

SUBJECT: Adopting title 28, California Code of Regulations section 1300.67.2.2 —
**Timely Access To Health Care Services,
Control No. 2005-0203**

PUBLIC PROCEEDINGS

Notice is hereby given that the Director of the Department of Managed Health Care (Department) proposes to adopt regulations under the Knox-Keene Health Care Service Plan Act of 1975 (Act) relating to Timely Access to Health Care by adopting title 28, California Code of Regulations section 1300.67.2.2, to implement Health & Safety Code section 1367.03. Before undertaking the action, the Director will conduct public proceedings, during which time interested persons may present statements, arguments, or contentions relevant to the action described in this notice.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held regarding the adoption of California Code of Regulations Title 28, Chapter 2, Article 7, Section 1300.67.2.2, "Timely Access To Health Care Services." The proposed new section 1300.67.2.2 will implement Health & Safety Code section 1367.03, as adopted by Assembly Bill 2179 by adopting indicators and standards to ensure that enrollees of health care service plans have access to needed health care services in a timely manner.

NOTICE OF HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed regulations as follows:

The public hearing will be held on:

**March 5, 2007
10:00 a.m.
980 Ninth Street, 2nd Floor
Conference Rooms A, B & C
Sacramento, California**

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written statements, arguments or contentions (hereafter referred to as comments) relating to the proposed regulatory action by the Department. In order for comments to be considered by the Department before it adopts the regulation, comments must be received by the Department of Managed Health Care, Office of Legal Services, by 5 p.m. on March 5, 2007, which is hereby designated as the close of the written comment period.

Please address all comments to the Department of Managed Health Care, Office of Legal Services, Atten-

tion: Regulations Coordinator. Comments may be transmitted by regular mail, FAX, email or via the Department's website:

Website: [http://wpsso.dmhc.ca.gov/regulations/](http://wpsso.dmhc.ca.gov/regulations/regulations@dmhc.ca.gov)
 Email: regulations@dmhc.ca.gov
 Mail: Department of Managed Health Care
 Office of Legal Services
 Attn: Regulations Coordinator
 980 9th Street, Suite 500
 Sacramento, CA 95814
 Fax: (916) 322-3968

Please note, if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments, including via the website, email, fax or mail, should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited.

Please identify the action by using the Department's regulation title and control number, **Timely Access To Health Care Services, Control No. 2005-0203**, in any of the above inquiries.

CONTACTS

Inquiries concerning the proposed adoption of this regulation may be directed to:

Emilie Alvarez, Regulations Coordinator
 Department of Managed Health Care
 Office of Legal Services
 980 9th Street, Suite 500
 Sacramento, CA 95814
 (916) 445-9960
 (916) 322-3968 fax
ealvarez@dmhc.ca.gov

OR

Stephen Hansen, Staff Counsel III
 Department of Managed Health Care
 Office of Legal Services
 980 9th Street, Suite 500
 Sacramento, CA 95814
 (916) 327-9331
 (916) 322-3968 fax
shansen@dmhc.ca.gov

AVAILABILITY OF DOCUMENTS

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is

available for public inspection by contacting the Regulations Coordinator listed above. Please call (916) 322-6727 to make an appointment.

AUTHORITY AND REFERENCE

California Health and Safety code sections 1344 and 1346 vest the Director of the Department of Managed Health Care (Director) with the power to administer and enforce the provisions of the Act.

California Health and Safety Code section 1344 authorizes that the Director have the ability to adopt, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of the Act, including rules governing applications and reports, and defining any terms, whether or not used in the Act, insofar as the definitions are not inconsistent with the provisions of the Act. Furthermore, the Director may waive any requirement of any rule or form in situations where in the Director's discretion such requirement is not necessary in the public interest or for the protection of the public, subscribers, enrollees, or persons or plans subject to this chapter.

California Health and Safety Code sections 1346(a)(3)-(a)(4) vest in the Director the power to administer and enforce the Act, including but not limited to recommending and proposing the enactment of any legislation necessary to protect and promote the interests of plans, subscribers, enrollees, and the public.

Note: Authority cited: Sections 1344, 1346 and 1367.03, Health and Safety Code. Reference: Sections 1342, 1363, 1367, 1368, 1368.01, 1370, 1375.7, and 1380, Health and Safety Code. Cross Reference: Sections 1300.51(d)(Exhibits G, H, I, J, K), 1300.68, and 1300.70, Title 28, California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department proposes to adopt section 1300.67.2.2 pursuant to California Health and Safety code section 1367.03, which specifically authorizes the Department to develop and adopt regulations to ensure that enrollees have access to needed health care services in a timely manner. Section 1367.03 directs the Department to develop indicators of and standards for timeliness of access to care.

AB 2179 (2002) added section 1367.03 of the Health and Safety Code, expressly instructing the Department to develop and adopt regulations to assure timely access to health care. The statute also contained specific requirements for the content of the regulations, including requirements that the regulations establish indicators of timeliness of access to care, adopt standards for timely access to health care services, and specify the manner in

which health care service plans are to report annually to the Department on compliance with the standards. Accordingly, the regulation establishes standards and requirements related to: timely access to primary care physicians, specialty physicians, hospital care, and other health care; health plan monitoring of health care provider compliance with the standards; corrective action by health plans upon identifying deficiencies in compliance; and the statutory requirement of filing an annual report of compliance.

The statute requires the adoption of “time elapsed” standards specifying the time elapsed between the time an enrollee seeks health care and obtains care. The statute also authorizes the Department to adopt standards other than time elapsed but requires the Department to demonstrate why such standard other than time elapsed is “more appropriate.” Proposed section 1300.67.2.2 adopts time elapsed standards and proposes a “same-day access” standard which is demonstrated to be “more appropriate” than time elapsed standards because timeliness of access under the same-day access standard exceeds timeliness of access under all of the time elapsed standards of the proposed regulation.

In Section 1 of AB 2179, the Legislature found and declared “that timely access to health care is essential to safe and appropriate health care and that lack of timely access to health care may be an indicator of other systemic problems such as lack of adequate provider panels, fiscal distress of a health care service plan or a health care provider, or shifts in the health needs of a covered population.”

ALTERNATIVES CONSIDERED

Pursuant to Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which the above action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The Department invites interested persons to present statements or arguments with respect to alternatives to the requirements of the proposed regulation at the scheduled hearing or during the written comment period.

SUMMARY OF FISCAL IMPACT

- Mandate on local agencies and school districts: None
- Cost or Savings to any State Agency: None
- Direct or Indirect Costs or Savings in Federal Funding to the State: None

- Cost to Local Agencies and School Districts Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None
- Costs to private persons or businesses directly affected: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on Housing Costs: None
- Other non-discretionary cost or savings imposed upon local agencies: None

DETERMINATIONS

The Department has made the following initial determinations:

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs requiring reimbursement by Part 7 (commencing with Section 17500) of Division 4 of the Government Code. As specified in Section 6 of AB 2179, no reimbursement is required.

The Department has determined that the regulations will have no significant effect on housing costs.

The Department has determined that the regulations do not affect small businesses. Health care service plans are not considered a small business under Government Code section 11342.610(b) and (c).

The Department has determined that the regulations will not significantly affect the creation or elimination of jobs within the State of California.

The Department has determined that the regulations will not significantly affect the creation of new businesses, or the elimination of existing businesses within the State of California.

The Department has determined that the regulations will not significantly affect the expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

FINDING REGARDING REPORTING REQUIREMENT

Government Code section 11346.3(c) provides as follows:

“No administrative regulation adopted on or after January 1, 1993, that requires a report shall apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses.”

All reporting requirements included in these regulations do apply to businesses because the Department has determined and found that the regulations are necessary to maintain the health, safety and welfare of the people of the State of California.

The reporting requirements of these regulations are mandated by subdivision (f) of section 1367.03 of the Health & Safety Code.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT AND RULEMAKING FILE

The Department has prepared and has available for public review the Initial Statement of Reasons, text of the proposed regulation and all information upon which the proposed regulation is based (rulemaking file). This information is available by request to the Department of Managed Health Care, Office of Legal Services, 980 9th Street, Sacramento, CA 95814, Attention: Regulations Coordinator.

AVAILABILITY OF MODIFIED TEXT

The full text of any modified regulation, unless the modification is only non-substantial or solely grammatical in nature, will be made available to the public at least 15 days prior to the date the Department adopts the regulations. A request for a copy of any modified regulation(s) should be addressed to the Regulations Coordinator. The Director will accept comments via the Department's website, mail, fax or email on the modified regulation(s) for 15 days after the date on which the modified text is made available. The Director may thereafter adopt, amend or repeal the foregoing proposal substantially as set forth without further notice.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the Regulation Coordinator named above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Notice of Proposed Rulemaking, proposed text of the regulation, and the Initial Statement of Reasons are available via the Department's website at <http://wpsso.dmhca.ca.gov/regulations/>, under the heading "Open Pending Regulations."

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CONSISTENCY DETERMINATION Fish and Game Code Section 2080.1 CESA No. 2080-2006-029-06

PROJECT: Joshua Tree Recreational Campground Project

LOCATION: Joshua Tree, County of San Bernardino

NOTIFIER: JAT Associates

BACKGROUND

JAT Associates (JAT) is planning to develop and operate an eco-friendly recreational campground on 13.8 acres of a 314.6 acre site (Project). The project will be built in two phases. Phase I will constitute approximately 62% of the total project, and will be comprised of 11 private tee-pee tent campsites, therapeutic salt water pools, a fitness center, massage treatment rooms and a reception/restaurant building. The campground will be in operation for 3 to 5 years before Phase II construction begins. Phase II will be comprised of 11 additional private tee-pee tent sites, a bunkhouse for additional lodging, expansion of the spa area, a photo studio, stables, an outdoor theater, a general store, a meeting hall, a dining room, a photo gallery, ranger's station, maintenance buildings, and a greenhouse. The site is located immediately north of Sunflower Road, between Sunever and Rice Roads, and includes parts of Bunker Mountain, in the community of Joshua Tree, San Bernardino County. The proposed buildings and pathways will be situated carefully within the 13.8-acre portion of the site that specifically avoids the areas of higher-density desert tortoise sign to the greatest extent practicable.

The Project will result in impact to 13.8 acres of desert scrub habitat on the 314.6 acre site. This acreage includes previously documented habitat for the desert tortoise (*Gopherus agassizii*), a species listed as threatened pursuant to both the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act (CESA) (Fish and Game Code § 2050 *et seq.*).

Because the Project has the potential to take a species listed under the ESA, the United States Fish and Wildlife Service (Service) issued an Incidental Take Permit (TE-133476-0) on November 8, 2006 for the Project, which concluded that the Project "...did not jeopardize the continued existence of the tortoise. ..." The Incidental Take Permit and accompanying Low-effect Habitat

Conservation Plan describes the Project, including Project features developed to compensate for impacts to the tortoise, and sets forth measures to mitigate any remaining impacts to the tortoise and its habitat. On November 20, 2006, the Director of the Department of Fish and Game (DFG) received correspondence from JAT requesting a determination pursuant to section 2080.1 of the Fish and Game Code that the Incidental Take Permit and accompanying Habitat Conservation Plan are consistent with CESA.

DETERMINATION

The DFG has determined that the Incidental Take Permit and Habitat Conservation Plan are consistent with CESA. The mitigation measures in the Incidental Take Permit and Habitat Conservation Plan meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), for authorizing the incidental take of CESA-listed species. Specifically, the DFG finds that the take of tortoise will be incidental to an otherwise lawful activity (*i.e.*, construction of a 13.8 acre campground), the mitigation measures identified in the Incidental Take Permit and Habitat Conservation Plan will minimize and fully mitigate the impacts of the federally authorized take of desert tortoise, and the Project will not jeopardize the continued existence of the species. The mitigation measures in the Incidental Take Permit and Habitat Conservation Plan include, but are not limited to, the following.

1. The Permittee shall reduce direct injury and mortality to tortoises by requiring: 1) Preconstruction surveys; 2) an on-site biological monitor, authorized by the Service and DFG to handle desert tortoises during construction and on call after construction is completed; 3) speed limits of 20 mph on access roads and 10 mph within the campground area; and 4) the use of desert tortoise-exclusion fencing and signage around the access road, parking lot, and entrance gate, so that no desert tortoises will be injured or killed by vehicles arriving or departing from the parking lot.
2. The Permittee shall utilize educational materials for all construction workers, employees, and guests of the campsite so that no desert tortoises will be injured or killed due to ignorance or lack of information. Staff and guests will be required to sign a statement accepting personal responsibility for understanding the information provided and fully complying with the regulations of the facility.
3. The Permittee shall minimize impacts by relocating permanent structures to areas of no or low-density desert tortoise sign, and reducing size

of Project from 33 Private tee-pee campsites to 22 and reducing number of ancillary structures, such as one photo studio instead of three.

4. The Permittee shall provide and maintain a sanctuary for resident desert tortoises for the operational life of the project on the undeveloped 300.8 acres of the site (of which 13.8 acres will be for mitigation, and the remaining 287 acres are offered for additional conservation benefit). As part of this obligation, the Permittee shall: Install permanent 3-strand, barbed-wire fencing around the perimeter of the entire 314.6-acre site to help stop the destructive activities presently taking place on the site that are destroying potential habitat and harming the resident desert tortoises (*i.e.*, OHV use, illegal dumping, target shooting, etc.); implement security measures such as signage, fencing, vertical mulching and patrolling that will reduce the possible occurrence of these activities (no more than three trespasses or security breaches per year); and establish an endowment in the amount of \$94,000.00 (Joshua Tree Campground Foundation) to fund long-term management of the sanctuary area.
5. The Permittee shall submit annual reports to the Service and DFG by March 31 each year for the previous year's activity.

Based on this consistency determination, JAT does not need to obtain authorization from DFG under CESA for take of desert tortoise that will occur in carrying out the Project, provided JAT complies with the mitigation measures and other conditions described in the Incidental Take Permit and Habitat Conservation Plan, including the funding obligations for protecting and managing the sanctuary. However, if the Project as described in the Incidental Take Permit and Habitat Conservation Plan, including the mitigation measures therein, changes after the date of the Permit, or if the Service amends or replaces that Permit, JAT will need to obtain from DFG a new consistency determination (in accordance with Fish and Game Code section 2080.1) or a separate incidental take permit (in accordance with Fish and Game Code section 2081).

DEPARTMENT OF FISH AND GAME

CONSISTENCY DETERMINATION Fish and Game Code Section 2080.1 CESA No. 2080-2006-027-02

PROJECT: Tucker-Orr Residential Subdivision Project
LOCATION: Butte County

NOTIFIER: Gallaway Consulting, Inc. on behalf of Gary Martone, Community Housing Improvement Program, Butte County

APPLICANT: Community Housing Improvement Program (CHIP)

(“CESA”). On November 16, 2006, the Director of the Department of Fish and Game (“DFG”) received a notice from Gallaway Consulting Inc., acting on behalf of CHIP, and pursuant to Fish and Game Code Section 2080.1, requesting a determination that the Federal Biological Opinion is consistent with CESA.

BACKGROUND

The proposed Tucker–Orr Residential Subdivision Project involves the construction of a residential subdivision with associated roads and infrastructure on a 20.7 acre parcel located in the northern portion of the City of Biggs, Butte County, California.

Suitable aquatic giant garter snake (*Thamnophis gigas*; “GGS”) habitat exists on-site within the main irrigation ditch along the northern border of the property. This feature was determined to be aquatic GGS habitat because 1) the main irrigation ditch contains fresh emergent wetland habitat; 2) the ditch is hydrologically connected to a known occurrence of GGS approximately 3 miles from the proposed project; 3) an active rice field is located immediately east of the proposed project area; and 4) the feature provides a potential dispersal corridor between the adjacent rice field and other rice fields in the proposed project’s vicinity. The proposed project construction would permanently affect 0.005 acres of aquatic GGS habitat.

Because of the project’s potential for take of the GGS and other federally protected species, on April 7, 2006 the U.S. Army Corps of Engineers consulted with the U.S. Fish and Wildlife Service (“Service”), as required by the Endangered Species Act (“ESA”) (16 U.S.C. § 1531 et seq.). On May 8, 2006 the Service issued Biological Opinion No. 1–1–06–F–0104 (“BO”) for the Tucker–Orr Residential Subdivision Project (Corps # 200600126). The Service, in the BO, described the project actions and determined that the Tucker–Orr Residential Subdivision Project would be appended to the Service’s 1997 *Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, and Yolo Counties, California* (Snake Programmatic Consultation; BO No. 1–1–97–F–0149). The Snake Programmatic Consultation identifies three levels of project impacts and sets forth appropriate conservation measures to mitigate impacts to GGS and its habitat. GGS is also listed under the California Endangered Species Act, Fish and Game Code Sections 2050 et seq.

DETERMINATION

DFG has determined that Biological Opinion No. 1–1–06–F–0104 is consistent with CESA because the mitigation measures contained in the BO meet the conditions set forth in Fish and Game Code Section 2081, subdivisions (b) and (c). Specifically, DFG finds that the measures identified in the BO will minimize and fully mitigate the project’s potential impacts on the GGS. These measures include, but are not limited to, the following:

1. Construction will occur between June 1 and October 1 of one construction season when GGS are more active and are therefore more able to avoid danger.
2. Prior to the start of any ground-disturbing activities associated with the proposed project, the applicant shall mitigate for the loss of 0.005 acre of GGS habitat by preserving 0.015 acre of GGS habitat at a Service-approved GGS preserve, or upon Service-approval, contributing funds to a Service-approved in-lieu fund sufficient to preserve 0.015 acre of managed GGS habitat.
3. The applicant shall adhere to the avoidance and minimization measures described in the January 2006 Biological Assessment, Tucker–Orr Property, City of Biggs, Butte County, California; the Service’s *Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat*, the Service’s *Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake Habitat*; and the terms and conditions of the Snake Programmatic Consultation.

Pursuant to Fish and Game Code section 2080.1, incidental take authorization under CESA will not be required for incidental take of GGS for the project, provided CHIP implements the project as described in the BO and complies with the mitigation measures and other conditions described therein. If there are any substantive changes to the project, including changes to the mitigation measures, or if the Service amends or replaces the BO, CHIP will be required to obtain a new

consistency determination or a CESA incidental take permit from the Department.

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD**PERP and Portable/Stationary ATCM**

This regulatory action amends regulations which the Board had adopted in February 2004 regarding the Airborne Toxic Control Measure (ATCM) for diesel engines, one set of regulations for portable diesel engines and one for stationary diesel engines. It also amends another set of regulations regarding the Portable Equipment Registration Program (PERP). The amendments to the ATCM regulations create some limited compliance flexibility for engine dealers, distributors and owners. The amendments to the PERP regulations expands the definition of "resident engine," defines Tier 1 and 2 engines, and establishes the requirements and fee schedule for compliance flexibility in the revised PERP.

Title 13, 17
California Code of Regulations
ADOPT: 93116.3.1 AMEND: 2452, 2456, 2461,
93115, 93116.2, 93116.3
Filed 12/27/06
Effective 12/27/06
Agency Contact: George Poppic (916) 322-3940

BOARD OF EQUALIZATION**Vehicles, Vessels and Aircrafts**

This change without regulatory effect implements the California Domestic Partner Rights and Responsibilities Act of 2003 (Stats. 2003, c. 421 (A.B. 205) operative January 1, 2005) dealing with sales tax and use tax of vehicles, vessels, and aircraft.

Title 18
California Code of Regulations
AMEND: 1610
Filed 01/03/07
Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF EQUALIZATION**Innocent Spouse Relief from Liability**

This change without regulatory effect implements the California Domestic Partner Rights and Responsibilities Act of 2003 (Stats. 2003, c. 421 (A.B. 205) operative January 1, 2005) dealing with innocent spouse relief from tax liability.

Title 18
California Code of Regulations
AMEND: 1705.1
Filed 01/03/07
Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF PHARMACY**Prescription drop boxes and automated delivery devices**

This rulemaking action will permit the use of prescription drop-off boxes and automated, self-service delivery devices. The regulation authorizes a patient to deposit a prescription in a secure container at the licensed premises. The regulation will also allow a patient to access his or her prescription medication from a self-service automated delivery device in a pharmacy under specified conditions intended to assure security, confidentiality, appropriate pharmacist consultations, and pharmacy responsibility.

Title 16
California Code of Regulations
ADOPT: 1713 AMEND: 1717
Filed 12/27/06
Effective 01/26/07
Agency Contact:
Virginia Herold (916) 445-5014 x4005

**BUSINESS, TRANSPORTATION AND HOUSING
AGENCY****Passenger Car Rental Industry Assessment Program**

This rulemaking action implements the Passenger Car Rental Industry assessment established by the Legislature in 2006 and provides a collection process for the assessment.

Title 10
California Code of Regulations
ADOPT: 5327, 5357.1, 5358, 5358.1 AMEND:
5350, 5352
Filed 12/29/06
Effective 01/01/07
Agency Contact: Terri Toohey (916) 324-3787

CALIFORNIA HIGHWAY PATROL**Cargo Securement Standards**

This emergency regulatory action adopts the federal requirements for cargo securement standards in compliance with section 34500.3 of the Vehicle Code.

Title 13

California Code of Regulations

ADOPT: 1300 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425

Filed 12/27/06

Effective 01/01/07

Agency Contact: Jeff Picardi (916) 445-1865

DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT

Conflict of Interest Code

The Department of Community Services and Development is amending their conflict of interest code (22 CCR 101115). The Fair Political Practices Commission approved the changes for filing on October 27, 2006.

Title 22

California Code of Regulations

AMEND: 101115

Filed 01/03/07

Effective 02/02/07

Agency Contact: Donna Fairchild (916) 327-6333

DEPARTMENT OF FOOD AND AGRICULTURE

Bactrocera zonata Interior Quarantine

This is the certificate of compliance to permanently remove restrictions on host crops and possible carriers of the fruit fly in 106 square miles in the Fresno area of Fresno and Madera counties.

Title 3

California Code of Regulations

AMEND: 3424(b)

Filed 01/03/07

Effective 01/03/07

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF INSURANCE

Insurance Mediation Regulations

This action amends the existing earthquake insurance mediation program to add mediation of homeowners and automobile collision and physical damage claims pursuant to the mandate of Insurance Code section 10089.70.

Title 10

California Code of Regulations

AMEND: 2696.1, 2696.2, 2696.3, 2696.5, 2696.6, 2696.7, 2696.9, 2696.10 REPEAL: 2696.4, 2696.8

Filed 12/29/06

Effective 01/28/07

Agency Contact: Lara Sweat (415) 538-4192

DEPARTMENT OF INSURANCE

California Low Cost Automobile Insurance Program Rates

This is a Certificate of Compliance for prior emergency regulatory actions (OAL file nos. 06-0314-01EFP; 06-0512-01EFP; 06-0714-02EFP; 06-0922-01EFP) that established the uniform rates for the liability policy, uninsured motorists and medical payments coverage under the Low Cost Automobile Insurance Program for the following counties: (1) Alameda, Fresno, Orange, Riverside, San Bernardino and San Diego, and (2) Contra Costa, Imperial, Kern, Sacramento, San Joaquin, San Mateo, Santa Clara, and Stanislaus. The California Low Cost Automobile Insurance Program is a statutorily required plan for equitable apportionment among insurers required to participate in the California Automobile Assigned Risk Plan (CAARP) for persons residing in the specified counties who are eligible to purchase a low cost automobile insurance policy through the program established in those counties. The establishment of the rates in these counties is exempt from the APA and OAL's review pursuant to Government Code section 11340.9, subdivision (g); however, the expansion of the program into the eight counties listed in the second group, which were designated by the Commissioner, is subject to the APA and OAL review.

Title 10

California Code of Regulations

AMEND: 2498.6

Filed 12/27/06

Effective 12/27/06

Agency Contact:

Mary Ann Shulman (415) 538-4133

DEPARTMENT OF INSURANCE

Practice and Procedure for Rate Proceedings: Intervention

Insurance Code section 1861.05 (pursuant to Prop 103) requires that all property-casualty insurers obtain prior approval of the Insurance Commissioner for proposed rate changes. Ins. Code section 1861.10(a) allows any person to initiate or intervene in any proceeding permitted or established pursuant to Chapter 9 of the Insurance Code, to challenge any action of the Commissioner under the article, and enforce any of its provisions. Section (b) requires an award of reasonable advo-

cacy and witness fees to any person who demonstrates that (1) the person represents the interests of consumers, and, (2) that he or she has made a substantial contribution to the adoption of any order, regulation or decision by the Commissioner or a court. Where such advocacy occurs in response to a rate application, the award shall be paid by the applicant.

These amendments to Chapter 5 of Title 10 of the California Code of Regulations make changes to the definitions section, the time frames for the submission of pleadings, requirements for awards of compensation, as well as other changes.

Initially, the Department of Insurance submitted the adoption of Section 2653.6 (Withdrawal of Application) in addition to the above amendments. That submission was withdrawn by the Department of Insurance.

Title 10

California Code of Regulations

AMEND: 2651.1, 2661.1, 2661.3, 2662.1, 2662.3, 2662.5

Filed 12/29/06

Effective 01/28/07

Agency Contact: Natasha R. Ray (916) 492-3559

DEPARTMENT OF INSURANCE

Individual Disability Policy Loss Ratio Regulations

This Department of Insurance action amends Article 1.9 regulations in Title 10, Chapter 5, Subchapter 2, which govern individual disability insurance policies that include hospital, medical or surgical benefits, sold individually or mass-marketed in California, so that such policies will provide sufficient economic benefit to policyholders. Pursuant to Insurance Code section 10293, the Article 1.9 amendments revise premium-to-benefit standards of reasonability for such policies, unless specifically excluded or governed by other law, by increasing the required minimum loss ratios from 50% to 70% and describing the actuarial method for calculating the minimum loss ratio, which will apply effective July 1, 2007 to new policies and to existing policies submitted for rate revisions. The proposed amendments also delete an obsolete preliminary screening procedure, revise credibility factors and annual compliance statement requirements, and make other, non-substantive, changes.

Title 10

California Code of Regulations

AMEND: 2222.10, 2222.11, 2222.12, 2222.14, 2222.15, 2222.16, 2222.17, 2222.19 REPEAL: 2222.13

Filed 12/29/06

Effective 03/29/07

Agency Contact: Bruce Patton (916) 492-3560

DEPARTMENT OF INSURANCE

Insurance Rate Review

Provides that insurers may not use a rate that results in an overall rate of return in excess of 11% and establishes procedures by which the DOI may compel insurers to modify rates.

Title 10

California Code of Regulations

ADOPT: 2642.4, 2643.8, 2644.24, 2644.25, 2644.26, 2644.27, 2644.50, AMEND: 2642.5, 2642.6, 2642.7, 2643.6, 2644.2, 2644.3, 2644.4, 2644.5, 2644.6, 2644.7, 2644.8, 2644.10, 2644.12, 2644.15, 2644.16, 2644.17, 2644.18, 2644.19, 2644.20, 2644.21, 2644.23

Filed 01/03/07

Effective 04/03/07

Agency Contact:

Cathleen S. Chapman (415) 538-4458

DEPARTMENT OF INSURANCE

Standards for Approval/Disapproval of Names

DOI is amending Title 10, §§2052.1 and 2052.4, which have been in effect since October 1, 1973. These regulations deal with standards for approval or disapproval of names for insurance producers. Every insurance producer in the state who transacts business under a business name (true or fictitious) must obtain approval of that name by DOI. DOI has the authority to disapprove the use of any name if it interferes with a name already in use or if it could mislead the public. The regulations promulgated in 1973 were intended to clarify the application of DOI's authority by identifying words that are prohibited or limited for use by insurance license producers.

Much has changed in the intervening years and the regulations have not been revised to reflect the current business climate. The amendments proposed in this rulemaking are designed to add several words to the prohibited list (can't use at all) and the improper use list (can use in certain circumstances). Some words are moved from the prohibited list to the improper use list. Most notably the amendment of §2052.4 indicates that it is always misleading if a name fails to include the word "insurance" followed by a set list of definitive words.

Title 10

California Code of Regulations

AMEND: 2052.1, 2052.4

Filed 12/29/06

Effective 01/28/07

Agency Contact: Geoffrey Margolis (916) 492-3558

DEPARTMENT OF INSURANCE
Mileage Verification

Specifies procedures for, and limits the permissible information that may be employed, to verify annual mileage for purposes of determining auto insurance premiums

Title 10
 California Code of Regulations
 AMEND: 2632.5(c)
 Filed 12/29/06
 Effective 02/27/07
 Agency Contact: Kim Morimoto (415) 538-4143

DEPARTMENT OF MENTAL HEALTH
Mental Health Services Act

On December 30, 2005, the Department of Mental Health (DMH) submitted to the Office of Administrative Law (OAL), and the same day OAL filed with the Secretary of State (SOS), an emergency regulatory action which implemented Proposition 63, the Mental Health Services Act. Section 5898 of the Welfare and Institutions Code provides that such regulations, if adopted in 2005, are deemed an emergency, exempt from the review of OAL, and shall remain in effect as emergency regulations for no more than one year. On January 13, 2006, DMH submitted an amendment to these emergency regulations, by way of a new subsection (b) to section 3400, which was approved by OAL and filed with the SOS on January 23, 2006 and subsequently readopted twice. The public hearing on these regulations was conducted on June 5, 2006. This regulatory action submitted as an emergency would replace those emergency regulations expiring on December 30, 2006 with more extensive regulations developed during the rulemaking proceeding.

Title 9
 California Code of Regulations
 ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3405, 3410, 3415, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650
 Filed 12/29/06
 Effective 12/29/06
 Agency Contact: Steven Appel (916) 654-4027

DEPARTMENT OF TOXIC SUBSTANCES
CONTROL

Alternative Management Standards for Treated Wood Waste

This emergency regulatory action establishes the requirements for generation, disposal and management of Treated Wood Waste.

Title 22
 California Code of Regulations
 ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4
 Filed 12/27/06
 Effective 01/01/07
 Agency Contact: Nicole Sotak (916) 327-4508

DEPARTMENT OF TOXIC SUBSTANCES
CONTROL

Restrictions on the Use of Heavy Metals in Covered Electronic Devices

In this emergency regulatory action, the Department of Toxic Substances Control adopts a regulation implementing Health and Safety Code section 25214.10 which will prohibit covered electronic devices from being sold or offered for sale in California if the electronic devices are prohibited from being sold or offered for sale in the European Union due to the concentration of one or more heavy metals pursuant to specified European Union documents.

Title 22
 California Code of Regulations
 ADOPT: 66260.202
 Filed 12/29/06
 Effective 12/29/06
 Agency Contact: Nicole Sotak (916) 327-4508

DEPARTMENT OF TOXIC SUBSTANCES
CONTROL

Addition of Portable DVD Players to Appendix X

In this emergency regulatory action, the Department of Toxic Substances Control adds "Portable DVD players with liquid crystal display (LCD) screens greater than four inches measured diagonally" to its "Appendix X" list of electronic devices that are presumed to be hazardous wastes when discarded, pursuant to Health and Safety Code section 25214.10.1.

Title 22
 California Code of Regulations
 AMEND: Appendix X of Chapter 11 of Division 4.5
 Filed 12/29/06
 Effective 12/29/06
 Agency Contact: Nicole Sotak (916) 327-4508

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

Update of National Consensus Standard Reference for Protective Footwear

This regulatory action updates the edition of the American Society for Testing and Materials (ASTM) for Protective Footwear. Specifically, this regulation updates the requirements for protective footwear for employees who are exposed to foot injuries from electrical hazards, hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions, or who work in abnormally wet locations.

Title 8

California Code of Regulations

AMEND: 3385

Filed 12/27/06

Effective 01/26/07

Agency Contact: Marley Hart (916) 274-5721

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

Update References for Traffic Control

Section 1598 of the Construction Safety Orders contains the requirements for traffic controls where a hazard exists to employees due to traffic or haulage conditions that encroach upon public streets or highways. Section 1599 requires the placement of warning signs to protect flaggers. This rulemaking action updates the references in Sections 1598 and 1599 to the California Manual on Uniform Traffic Control Devices adopted by the California Department of Transportation on September 26, 2006.

Title 8

California Code of Regulations

AMEND: 1598, 1599

Filed 12/29/06

Effective 01/28/07

Agency Contact: Marley Hart (916) 274-5721

**OFFICE OF THE STATE FIRE MARSHAL
Extinguisher Regulations**

This rulemaking repeals several sections within Title 19 in an effort to clean-up the CCR. In an earlier rulemaking OSFM re-organized and moved various sections within Title 19 and also updated its regulations. They inadvertently left in several sections that were outdated and had been replaced with updated sections. Other sections are duplicative of newer sections. By repealing these sections, OSFM will eliminate the confusion caused by having conflicting or duplicative sections within the CCR.

Title 19

California Code of Regulations

ADOPT: 574 REPEAL: 597, 597.1, 597.2, 597.3, 597.4, 597.9, 603, 603.1, 603.2, 603.4, 603.5, 604, 604.1, 604.2, 604.3, 604.4, 604.5, 605, 605.2, 606, 606.1, 606.2, 606.4, 607, 607.1, 608, 608.1, 608.2, 608.3, 608.4, 608.5, 608.6, 609, 609.1, 609.2, 609, 609.1, 609.2, 609.3, 609.4, 609.5, 609.6, 609.7, 610, 612, 613, 614.2, 614.4

Filed 12/28/06

Effective 01/27/07

Agency Contact:

Kevin Reinertson (916) 327-4998

SIERRA NEVADA CONSERVANCY

Conflict of interest code

This is a Conflict of Interest Code filing which was approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 14

California Code of Regulations

ADOPT: 25231

Filed 12/28/06

Effective 01/27/07

Agency Contact: Christine Sproul (916) 324-5343

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN AUGUST 02, 2006 TO
JANUARY 03, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

12/22/06 AMEND: 21906

12/18/06 AMEND: 18312, 18316.5, 18326, 18401, 18521, 18537.1, 18704.5, 18705.5, 18730, 18746.2

12/18/06 AMEND: 18703.4, 18730, 18940.2, 18942.1, 18943

12/18/06 ADOPT: 18421.3

12/18/06 AMEND: 18545

12/18/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5

12/14/06 ADOPT: 18707.10

12/13/06	ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80	10/05/06	AMEND: 3589
11/06/06	AMEND: 18216, 18421.1	10/02/06	AMEND: 3591.6(a)
11/03/06	AMEND: 1859.73.2	09/19/06	AMEND: 3433(b)
10/31/06	AMEND: 559.500, 559.501, 559.503, 559.504, 559.505, 559.507, 559.508, 559.509, 559.510, 559.511, 559.512, 559.513, 559.515, 559.516, 559.517	09/12/06	AMEND: 3406(b)
10/12/06	AMEND: 714	09/12/06	AMEND: 3591.12(a)
09/27/06	AMEND: 18754	09/08/06	AMEND: 3423(b)
09/07/06	AMEND: 21904, 21905	09/07/06	AMEND: 3433(b)
09/05/06	AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1	09/05/06	AMEND: 3406(b)
08/23/06	AMEND: 1181.4	08/29/06	AMEND: 3433(b)
08/21/06	AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5	08/24/06	AMEND: 3433(b)
08/15/06	ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80	08/23/06	AMEND: 3591.12(a)
08/11/06	AMEND: 1859.2, 1859.40, 1859.51, 1859.70, 1859.93.1, 1859.95, 1859.147, 1859.202, 1866	08/17/06	AMEND: 3591.19(a)
Title 3		08/16/06	AMEND: 3433(b)
01/03/07	AMEND: 3424(b)	08/15/06	AMEND: 3700(c)
12/20/06	AMEND: 3423(b)	08/15/06	AMEND: 3700(c)
12/20/06	AMEND: 3433(b)	08/10/06	AMEND: 3591.6(a)
12/19/06	ADOPT: 6310, 6312, 6314 AMEND: 6170	Title 4	
12/06/06	AMEND: 3700(c)	12/05/06	AMEND: 1582
12/06/06	AMEND: 3591.6	11/22/06	AMEND: 1544 & 1658
11/30/06	ADOPT: 6128 AMEND: 6130	11/16/06	ADOPT: 2422.1
11/16/06	AMEND: 3433(b)	11/03/06	AMEND: 10152, 10153, 10155, 10159, 10160, 10161, 10162
11/13/06	AMEND: 3423(b)	10/24/06	AMEND: 1486
11/08/06	AMEND: 3591.2(a)	10/16/06	AMEND: 1733
10/27/06	ADOPT: 765 AMEND: 760.4, Article 3.5	09/26/06	AMEND: 1976.8
10/19/06	AMEND: 3591.6(a)	Title 5	
10/12/06	ADOPT: 3424	11/13/06	AMEND: 18013, 18054
10/12/06	AMEND: 3433(b)	11/08/06	AMEND: 850, 851, 852, 853, 854, 855, 857, 858, 859, 861, 862, 863, 864, 864.5, 865, 866, 867, 870 REPEAL: 850.5, 880, 881, 882, 883, 884, 886, 887, 888, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 901
10/12/06	AMEND: 3433(b)	10/26/06	AMEND: 30023(c)
10/06/06	AMEND: 3591.13(a)	10/23/06	ADOPT: 11991, 11991.1, 11991.2
10/06/06	AMEND: 3700(c)	10/16/06	ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7
10/05/06	AMEND: 3433(b)	09/29/06	ADOPT: 19833.5, 19833.6 AMEND: 19815, 19816, 19816.1, 19819, 19824, 19828.1, 19831
		09/15/06	REPEAL: 18074.1(b), (c), (d), 18074.3, 18074.4, 18074.5, 18074.6
		08/30/06	ADOPT: 15566, 15567, 15568 REPEAL: 15569
		08/15/06	AMEND: 1030.7, 1030.8
		Title 8	
		12/29/06	AMEND: 1598, 1599
		12/27/06	AMEND: 3385
		12/21/06	AMEND: 5031
		12/15/06	AMEND: 5006.1
		11/14/06	AMEND: 6368
		11/14/06	AMEND: 3482, 5161, 5178

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11/08/06	AMEND: 17000 Appendix	12/22/06	ADOPT: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8
11/02/06	AMEND: 3650	12/20/06	ADOPT: 2614, 2614.1, 2614.2, 2614.3, 2614.4, 2614.5, 2614.6, 2614.7, 2614.8, 2614.9, 2614.10, 2614.11, 2614.12, 2614.13, 2614.14, 2614.15, 2614.16, 2614.17, 2614.18, 2614.19, 2614.20, 2614.21, 2614.22, 2614.23, 2614.24, 2614.25, 2614.26, 2614.27
10/18/06	AMEND: 9768.5, 9768.10, 9788.11, 9788.31, 9789.33	12/19/06	AMEND: 2690.90, 2690.91, 2690.92, 2690.93, 2690.94
09/29/06	AMEND: 341, 341.1	12/13/06	ADOPT: 2534.40, 2534.41, 2534.42, 2534.43, 2534.44, 2534.45, 2534.46
09/25/06	AMEND: 4920	11/15/06	AMEND: 2697.6, 2697.61
09/21/06	ADOPT: 10001, 10002, 10003	11/09/06	AMEND: 2534.27, 2534.28
09/19/06	ADOPT: 1532.2, 5206, 8359 AMEND: 5155	11/09/06	AMEND: 2498.5
Title 9		10/24/06	ADOPT: 2303, 2303.1, 2303.2, 2303.3, 2303.4, 2303.5, 2303.6, 2303.7, 2303.8, 2303.9, 2303.10, 2303.11, 2303.12, 2303.13, 2303.14, 2303.15, 2303.16, 2303.17, 2303.18, 2303.19, 2303.20, 2303.21, 2303.22, 2303.23, 2303.24, 2303.25
12/29/06	ADOPT: 3100 3200.010, 3200.020, 3200. 3200.050, 3200.060, 3200.070, 3200.080 3200.100, 3200.110, 3200.120, 3200.130 3200.150, 3200.160, 3200.170, 3200.180 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3405, 3410, 3415, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650	10/16/06	ADOPT: 2194.9, 2194.10, 2194.11, 2194.12, 2194.13, 2194.14, 2194.15, 2194.16, 2194.17
11/21/06	AMEND: 9100	10/10/06	AMEND: 2498.4.9
09/25/06	ADOPT: 3400	10/03/06	AMEND: 2498.5
Title 10		10/02/06	AMEND: 2248.4, 2249.1, 2249.2, 2249.6, 2249.7, 2249.8, 2249.9, 2249.10, 2249.11, 2249.12, 2249.13, 2249.14, 2249.15, REPEAL: 2248.11, 2248.12, 2248.19
01/03/07	ADOPT: 2642.4, 2643.8, 2644.24, 2644.25, 2644.26, 2644.27, 2644.50, AMEND: 2642.5, 2642.6, 2642.7, 2643.6, 2644.2, 2644.3, 2644.4, 2644.5, 2644.6, 2644.7, 2644.8, 2644.10, 2644.12, 2644.15, 2644.16, 2644.17, 2644.18, 2644.19, 2644.20, 2644.21, 2644.23	09/20/06	AMEND: 2318.6, 2353.1
12/29/06	AMEND: 2696.1, 2696.2, 2696.3, 2696.5, 2696.6, 2696.7, 2696.9, 2696.10 REPEAL: 2696.4, 2696.8	09/14/06	AMEND: 3528
12/29/06	AMEND: 2651.1, 2661.1, 2661.3, 2662.1, 2662.3, 2662.5	08/29/06	AMEND: 2699.6600
12/29/06	AMEND: 2632.5(c)	08/28/06	ADOPT: 803, 810, 810.1, 810.2, 810.3, 810.4, 810.5, 810.6, 810.7 AMEND: 800, 801, 802, 804, 806, 807
12/29/06	AMEND: 2052.1, 2052.4	08/08/06	ADOPT: 3583 AMEND: 3500, 3525, 3527, 3528, 3541, 3542, 3543, 3544, 3563, 3568, 3603, 3622, 3668, 3681, 3682, 3761 REPEAL: 3541
12/29/06	AMEND: 2222.10, 2222.11, 2222.12, 2222.14, 2222.15, 2222.16, 2222.17, 2222.19 REPEAL: 2222.13	08/02/06	ADOPT: 2790.7
12/29/06	ADOPT: 5327, 5357.1, 5358, 5358.1 AMEND: 5350, 5352	Title 11	
12/27/06	AMEND: 2498.6	12/21/06	ADOPT: 80.3
12/26/06	ADOPT: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86, 2698.87, 2698.88, 2698.89, 2698.89.1 AMEND: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86	12/21/06	AMEND: 48.6
		12/21/06	AMEND: 1070, 1081, 1082
		10/13/06	AMEND: 30.5
		10/13/06	AMEND: 30.1
		08/16/06	ADOPT: 1084

Title 13

12/27/06 ADOPT: 1300 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425

12/13/06 AMEND: 553.70

12/06/06 ADOPT: 2022, 2022.1

12/01/06 ADOPT: 2479

11/13/06 AMEND: 2111, 2112, 2441, 2442, 2444.2, 2445.1, 2445.2, 2446

11/13/06 AMEND: 2445.2(a)

10/30/06 ADOPT: 118.00

10/27/06 AMEND: 423.00

10/16/06 AMEND: 1956.8, 2404, 2424, 2425, 2485

10/05/06 AMEND: Section 1

09/14/06 AMEND: 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22

09/11/06 ADOPT: 2467.8, 2467.9 AMEND: 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7, Incorporated Documents REPEAL: 2467.8, Incorporated Test Method 512

09/07/06 AMEND: 1956.1, 1956.8, 2023.1, 2023.4

08/24/06 AMEND: 28.22

Title 13, 17

12/27/06 ADOPT: 93116.3.1 AMEND: 2452, 2456, 2461, 93115, 93116.2, 93116.3

12/06/06 ADOPT: 2299.1, 93118

Title 14

12/28/06 ADOPT: 25231

12/26/06 AMEND: 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1712, 1714, 1720, 1721, 1721.2, 1721.3, 1721.3.1, 1721.4, 1721.5, 1721.6, 1721.7, 1721.8, 1721.9, 1722, 1722.1.1, 1722.3, 1722.4, 1722.5, 1722.7, 1723, 1723.5, 1723.7, 1723.8, 1723.9, 1724

12/19/06 AMEND: 105.1, 120.01, 149.1, 150, 150.02, 150.03, 150.05, 180.3, 180.15, 231

12/05/06 AMEND: 2305, 2310, 2320

12/01/06 AMEND: 163, 164

11/27/06 ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72

11/27/06 ADOPT: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.23, 18660.24, 18660.25, 18660.30, 18660.31, 18660.32, 18660.33

11/22/06 AMEND: 939.15, 959.15

11/16/06 AMEND: 916.5(e), 936.5(e), 956.5(e), 916.9, 936.9, 956.9

11/14/06 AMEND: 5101, 5104

11/07/06 AMEND: 11900

11/02/06 AMEND: 183

10/19/06 AMEND: 632(b)(72)

10/11/06 AMEND: 895, 895.1, 1038, 1038(f)

10/06/06 AMEND: 670.2

09/20/06 AMEND: 895.1, 898, 914.8, [934.8, 954.8], 916, [936, 956], 916.2 [936.2, 956.2], 916.9, [936.9, 956.9], 916.11, [936.11, 956.11], 916.12, [936.12, 956.12], 923.3, [943.3, 963.3], 923.9, [943.9, 963.9]

09/19/06 AMEND: 502

09/15/06 AMEND: 851.8, 851.23, 851.51.1, 851.85, 852.3, 851.4, 851.10, 851.10.1

08/31/06 AMEND: 27.80

08/11/06 AMEND: 7.50

08/11/06 AMEND: 1261

08/04/06 ADOPT: 701, 702 AMEND: 1.74, 27.15, 27.67, 478.1, 551, 601, 708

Title 15

12/19/06 ADOPT: 3413.1 AMEND: 3413

12/04/06 AMEND: 3041.2, 3053, 3177, 3331, 3375

11/03/06 AMEND: 3375.2, 3377.1

11/03/06 AMEND: 3084.1

10/06/06 ADOPT: 2275

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10/03/06	ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3358	6506.2, 6506.6, 6506.8, 6506.10, 6506.12
08/11/06	ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4 REPEAL: 4036.0, 4040.0	10/10/06 ADOPT: 100010, 100020, 100030, 100040, 100050, 100060, 100070, 100080, 100090, 100095, 100100, 100110
Title 16		
12/27/06	ADOPT: 1713 AMEND: 1717	10/05/06 ADOPT: 100001, 100002, 100003, 100004
12/20/06	AMEND: 1397.61(b)	10/04/06 AMEND: 57310(b)(3), 57332(c)(3)(A), 57332(9)(A)2.a
12/18/06	ADOPT: 980.2, 980.3 AMEND: 980.1	09/11/06 ADOPT: 100000
12/07/06	ADOPT: 1793.8 AMEND: 1793.7	Title 18
12/05/06	AMEND: 1397.12	
11/16/06	AMEND: 28	
11/16/06	AMEND: 1397.60, 1397.61, 1397.62	01/03/07 AMEND: 1610
11/16/06	AMEND: 1351.5, 1352	01/03/07 AMEND: 1705.1
11/16/06	ADOPT: 1399.170.20.1 AMEND: 1399.151.1	11/13/06 AMEND: 1699, 1802
11/15/06	AMEND: 4120, 4121, 4161, 4162	09/15/06 AMEND: 1620
11/15/06	ADOPT: 1034.1 AMEND: 1021, 1028, 1034	09/08/06 ADOPT: 1125, 1423 AMEND: 1123, 1420
11/08/06	AMEND: 4130	Title 19
11/02/06	AMEND: 3394.6	
10/31/06	AMEND: 100, 102, 109, 111, 117, 136	
10/26/06	AMEND: 345	12/28/06 ADOPT: 574 REPEAL: 597, 597.1, 597.2, 597.3, 597.4, 597.9, 603, 603.1, 603.2, 603.4, 603.5, 604, 604.1, 604.2, 604.3, 604.4, 604.5, 605, 605.2, 606, 606.1, 606.2, 606.4, 607, 607.1, 608, 608.1, 608.2, 608.3, 608.4, 608.5, 608.6, 609, 609.1, 609.2, 609.3, 609.4, 609.5, 609.6, 609.7, 610, 612, 613, 614.2, 614.4
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